

Case Docket No. NATURES.018A

Date: May 28, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Peter T. McCarthy

Appl. No.

09/852,155

Filed

May 9, 2001

For

METHODS FOR CREATING

LARGE SCALE FOCUSED BLADE DEFLECTIONS

Group Art Unit:

3617

Examiner

Swinehart, Edwin L.

REQUEST FOR CLARIFICATION REGARDING REFERENCES CONSIDERED BY EXAMINER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests the Examiner to clarify that he has considered the references cited by Applicant in the following Information Disclosure Statements (copies attached) during the prosecution of the present application, by mailing to Applicant "signed-off" copies of the PTO-1449 forms included therein:

- 1) The Information Disclosure Statement mailed on October 8, 2001
- 2) The Information Disclosure Statement mailed on January 17, 2002
- 3) The Information Disclosure Statement mailed on March 8, 2002.

Case Docket No. NATURES.018A

Date: May 28, 2004

Applicant presumes that the Examiner has considered the references cited in these IDS's, as the Examiner relied on some of the cited references in rejecting certain claims of this application, without citing any references himself on a form PTO-892. The references cited by Applicant and relied on by the Examiner include Great Britain '765 (cited in the IDS mailed on January 17, 2002) and Takizawa (cited in the IDS mailed on October 8, 2001).

Applicant respectfully requests the Examiner to mail the signed-off PTO-1449 forms to the undersigned Attorney of Record, or to fax them to the attention of said Attorney at 949-760-9502.

May 28, 2004

Date

Mark J. Kertz

Registration No. 43,711

Attorney of Record

Customer No. 20,995

(949) 760-0404

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Peter T. McCarthy) Group Art Unit 3617
App. No.	:	09/852,155	OIPE
Filed	:	May 9, 2001	JUN 0 1 mg. E
For	:	METHODS FOR CREATING LARGE SCALE FOCUSED BLADE DEFLECTIONS) RADEMARK CHES
Examiner	:	Unknown)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

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Dear Sir:

Enclosed is form PTO-1449 listing references that are also enclosed. This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: //11/02	By:
/ /	Mark J. Kertz
·	Registration No. 43,711
	Attorney of Record
	620 Newport Center Drive
	Sixteenth Floor
	Newport Beach, CA 92660
	(949) 760-0404

SHEET 1	OF
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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY, DOCKET NO.
NATURES.018A

	APPLICATION NO
200	09/852,155
	S) (V)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT Peter T. McCarthy

FILING DATE May 9, 2001 GROUP 3617 JUN 0 1 2004

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	5,810,629	9/22/98	Parr				
							
							

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY		SUBCLASS	TRANSLATION	
INITIAL				1 "		YES	МО
	2 543 841	April 5, 1983	France				
	1284765	Aug.9, 1972	Great Britain				
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EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	2.

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EXAMINER

DATE CONSIDERED

	·		•
		UTILITY/DESIGN PATENT	DATE: 1/17/02
•			TE OF O.A.:
		Rec'd in the U.S.P.T.O. on the date stamped her	reon via Certificate of Mail:
		Atty Dkt # Natures . 01 8/N:09/8521	55 Filed: 5/9/01
	•	Exr: Atty: MJK	Art Unit: 3617
		Applicant(s): McCarthy	
		Title: METHODS FOR CREATING LA	RGE SCALE
		VERIFIED BY: Asst: I. Phulipson	vality Control: DS
			AAmendment in 27 pgs. P(eUm.
			Small Entity Statement(s)
		☐ Req. for Drawing Changes, marked in RED 1	Submission of Formal Drawings
		pgs of Drawings	Transmittal
7		☑ Information Disclosure State Trant	pgs of Formal Drawings
}		PTO-1449 w/3 Refs. RADEMARK	CK\$82 Check for Amendment
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		Return Postcard	
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Case Docket No. NATURES.018A Date: October 8, 2001

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner

October 8, 2001

(Date)

Mark J. Kertz, Reg. No. 42,711

for Patents, Washington, D.C. 20231, on

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Peter T. McCarthy

Appl. No.

09/852,155

Filed

May 9, 2001

For

METHODS FOR CREATING LARGE SCALE FOCUSED

BLADE DEFLECTIONS

Examiner

Unknown

Group Art Unit:

3617

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

ATTENTION: APPLICATION BRANCH

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with 129 (cited only) references, and copies of 2 references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Mark J Kertz

Registration No. 42,711

Attorney of Record

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Peter T. McCarthy) Group Art Unit 3617
App. No.	:	09/852,155)
Filed	:	May 9, 2001)
For	:	METHODS FOR CREATING LARGE SCALE FOCUSED BLADE DEFLECTIONS)))
Examiner	:	Unknown)))

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Enclosed is form PTO-1449 listing various references. Except for the enclosed references these references were of record in Patent Application No. 09/311,505 (attorney docket No. NATURES.015A) filed May 13, 1999, and Patent Application No. 09/630,374 (attorney docket No. NATURES.015C1) filed August 1, 2000, to which priority is claimed under 35 U.S.C. § 120. Therefore, under 37 C.F.R. § 1.98(d) no copies of these references need to be submitted. This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the

Appl. No.

رداً,09/852

Filed

May 9, 2001



Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: /0/8/01

By:

Mark J. Kertz

Registration No. 43,711

Attorney of Record

620 Newport Center Drive

Sixteenth Floor

Newport Beach, CA 92660

(949) 760-0404

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY.	DOCKET	NO.
NAT	URES.018	3A

APPLICATION NO. 09/852,155

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT
Peter T. McCarthy

(USE SEVERAL SHEETS IF NECESSARY)

FILING DATE GROUP May 9, 2001 GROUP 3617

			U.S. PATENT DOCUMENTS			
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	5384	11/15/1883	Heathorn			
	5,384	12/4/1847	R.A. Tilghman			
	144,538	11/11,1873	Harsen		-	
	169,396	11/2/1875	O.G. Ahlstrom			
	234,305	05/28/25	Bovey			
	476,092	12/01/37	Valente			
	783,012	02/21/05	Biedermann et al.			
	787,291	unknown	Michiels			
	871,059	11/12/07	Douse			
	998,146	07/18/11	Alfier et al.			
	1,324,722	12/11/1917	William Bergin			
	1,607,857	5/27/1926	F. Zukal			
	1,684,714	08/12/27	Регту			
	2,241,305	02/27/39	Hill, Jr.			
	2,321,009	9/27/1940	O.P. Churchill			
	2,343,468		Messinger			·
	2,423,571	07/08/47	Wilen			w
	2,588,363	03/11/52	Corlieu			•
	2,850,487	9/2/1958	Gaetano F. D'Alello			
	2,865,033	12/23/1958	D.L. Jayet			-
	2,889,563	6/9/1959	E.W. Lamb, et. al.			-
	2,903,719	9/15/1959	J.L. Wozencraft			
	2,950,487	08/30/60	Woods			
	3,019,458	2/6/1962	E. De Barbieri, et. al.			
	3,055,025	9/25/1962	t. Ferraro, et. al.			
	3,082,442	1959	Cousteau, et al.			· · · · · · · · · · · · · · · · · · ·
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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY.	DOCKET NO.
NAT	URES 018A

APPLICATION NO. 09/852,155

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT
Peter T. McCarthy

(USE SEVERAL SHEETS IF NECESSARY)

FILING DATE GROUP May 9, 2001 GROUP 3617

			U.S. PATENT DOCUMENTS			
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	3,084,355	04/09/63	Ciccotelli			
	3,086,492	04/23/63	Holley			·
	3,112,503	12/3/1963	B.B. Girden			
	3,171,142		Auzols			
	3,239,857	3/15/1966	Frederick H. Gwynne			
	3,256,540		Novelli			,
	3,411,165	11/19/68	Murdoch			
	3,422,470	01/21/69	Mares			
	3,453,981	07/08/69	Gause			
	3,491,997	01/27/70	Winters			
	3,665,535	5/30/1972	Picken			
	3,773,011	11/20/73	Gronier			
	3,922,741	12/02/75	Semeia			
	3,934,290	01/27/76	Le Vasseur			
	4,007,506	2/15/1977	Rasmussen			
	4,025,977	5/31/1977	Cronin			
	4,083,071	04/11/78	Forjot			
	4,193,371	03/18/80	Baulard-Caugan			
	4,197,869	04/15/80	Moncrieff-Yeates			
	4,209,866	7/1/1980	Loeffler			
	4,342,558	08/03/82	Wilson			
	4,521,220	06/04/85	Schoofs			
	4,541,810	09/17/85	Wenzel	1		
	4,657,515	4/14/1987	Ciccotelli			
	4,689,029	8/25/1987	Ciccotelli			
	4,738,645	04/19/88	Garofalo	1		

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APPLICATION NO. 09/852,155

SHEET 3 OF 6

INFORMATION DISCLOSURE STATEMENT

BY APPLICANT

APPLICANT Peter T. McCarthy

(USE SEVERAL SHEETS IF NECESSARY)

FILING DATE May 9, 2001 **GROUP** 3617

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
-	4,752,259	6/21/1988	Tackett, et. al.			
	4,773,885	9/27/1988	Ciccotelli			
	4,775,343	10/4/1988	Lamont, et. al.			
	4,781,637	11/01/88	Caires			
	4,820,218	04/11/89	Van de Pol			
	4,857,024	08/15/89	Evans			
	4,869,696	9/26/1989	Ciccotelli			
	4,895,537	1/23/1990	Ciccotelli			
	4,929,206	5/29/1990	Evans			
	4,934,971	06/19/90	Picken			
	4,940,437	07/10/90	Piatt			
	4,944,703	07/31/90	Mosier			
	4,954,111	09/04/90	Cressi			
	4,954,112	09/04/90	Negrini et al.			
	5,163,859	11/17/92	Beltrani, et al.			
	5,304,081	4/19/1994	Takizawa			<u> </u>
	5,324,219	06/28/94	Beltrani et al.			
	5,356,323	10/18/94	Evans			
	5,358,323	10/25/94	Ripley			
	5,358,439	10/25/1994	Paolo			
	5,387,145	2/7/1995	Wagner			
	5,417,599	05/23/95	Evans			
	5,429,536	7/4/1995	Evans			
	5,435,764	7/25/1995	Testa, et. al.			
	5,443,593	8/22/1995	Garofalo			
	5,522,748	6/4/1996	Cressi			

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ATTY. DOCKET NO. NATURES.018A	APPLICATION NO. 09/852,155

SHEET 4 OF 6

APPLICANT
Peter T. McCarthy

FILING DATE GROUP May 9, 2001 GROUP 3617

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	5,527,197	6/18/1996	Evans			
	5,533,918	7/9/1996	Sanders			
	5,595,518	1/21/1997	Ours			
·	5,597,336	1/28/1997	Evans			
	5,746,631	5/5/1998	McCarthy			
	6,050,868	4/18/00	McCarthy			
	6,095,879	8/2000	McCarthy	1		
	6,126,503	10/3/00	Viale, et al.			
	Des. 278,165	3/26/1985	Evans			
	Des. 302,999	8/22/1989	McCredie			
	Des. 327,933	7/14/1992	Evans			
	Des. 327,934	7/14/1992	Evans			
	Des. 327,935	7/14/1992	Evans			
	Des. 328,118	7/21/1992	Evans			
	Des. 340,272	10/12/1993	Evans			
	Des. 353,181	12/6/1994	Evans		-	
	Des. 393,684	4/21/1998	Lin			
	Des. 396,897	8/11/1998	Evans			
	Des. 404,456	1/19/1999	Evans			
						

FOREIGN PATENT DOCUMENTS							
EXAMINER	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANS	LATION
INITIAL						YES	NO
	1501208	Nov 1967	France				

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EXAMINER	DATE CONSIDERED

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. NATURES.018A

APPLICATION NO. 09/852,155

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT Peter T. McCarthy

(USE SEVERAL SHEETS IF NECESSARY)

FILING DATE May 9, 2001 GROUP 3617

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			FOREIGN PATENT DOCUMENTS				
EXAMINER	DOCUMENT NUMBER DATE		COUNTRY	CLASS	SUBCLASS	TRANSLATION	
INITIAL						YES	NO
	DD 259 353 A	08/24/88	Germany				
	FR 2574 748 A	06/20/86	France				
	JP62 134395	06/17/87	Japan				
	SU 1323 463 A	03/13/86	Soviet Union			_	
	625377	09/19/61	Italy				
	0 308 998	03/29/89	Europe			• .	
	DE 3438808	04/24/86	Germany				
	. 2 058.941	1971	France				
	2 213 072	1974	France				
	625377	09/19/61	ITALY (with Certified Translation)			×	
	1.245.395	9/26/60	FRANCE (with Certified Translation)			Х	
	17,033	1890	England				
	787,291	1935	France				
	1,245,395	1960	France				
	553307	1956	Italy				
	61-6097	1986	Japan				
	1,075 997	1960	Germany				
	1,075 997	1960	Germany (with Certified Translation)			х	
	1,208,636	1959	France				
		1					
	<u> </u>	J		<u> </u>	Ll		

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)					
	Rossier, Robert N., entitled, "Moving Forward - Getting your best kick in the water can come from a combination of design, efficiency and hydrodynamics in fins". ALERT DIVER, Nov-Dec 1997, pages 26 - 28.					
	Triantafyllou, Michael S. and Triantafyllou George S., entitled, "An Efficient Swimming Machine". SCIENTIFIC AMERICAN, March 1995, pages 64-70.					
	"3302 of 1880" (Picture From Book-Found in US PTO)					

EXAMINER		•	DATE CONSIDERED

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. NATURES.018A

APPLICANT



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Peter T. McCarthy

(USE SEVERAL SHEETS IF NECESSARY)

FILING DATE GROUP 3817

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)					
	"Test Dive" Article in Jan/Feb 1996 issue of Sport Diver Magazine					
	"Oceanic V-Drive Fins" in May/Jun. 1996 Issue of Sport Diver Magazine					
	Walton and Katz "Application of Leading-Edge Vortex Manipulations to Reduce Wing Rock Amplitudes" Journal of Aircraft Vol. 30, No. 4, pp. 555-559					
<u> </u>	Traub and Nurick "Effects of Wing-Tip Vortex Flaps" Journal of Aircraft Vol. 30, No. 4, pp. 557-559					
	Grantz and Marchman III" Trailing Edge Flap Influence on Leading Edge Vortex Flap Aerodynamics", Journal of Aircraft Vol. 20, No. 2, pp. 165-169					
	Rao "An Exploratory Study of Area-Efficient Vortex Flap Concepts" Journal of Aircraft, Vol. 20, No. 12, pp. 1062-1067					
	Lamar and Campbell "Vortex Flaps-Advanced Control Devices for Supercruise Fighters" Jan. 1984, Aerospace America.					
	"BZ" bodysurfing fin (Picture), 1 st production in 1990					
	"Blade Pro" bodysurfing fin (Picture), 1 st production 1991					
	"Wave Rebel" bodysurfing fin (Picture), 1 St production 1994					
	Art. 1400 Pinna "Professional" Fin (1989)					

EXAMINER

DATE CONSIDERED

COPY

BEST AVAILABLE COPY

UTILITY/DESIGN PATENT (miscellaneous) Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail: Atty. Dkt. # NATURES 018A



Case Docket No. NATURES.018A Date: March 8, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	:	Peter T. McCarthy	l hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope
Appl. No.	:	09/852,155	addressed to: United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on
Filed	:	May 9, 2001) March 8, 2002 (Date)
For	:	METHODS FOR CREATING LARGE SCALE FOCUSED BLADE DEFLECTIONS	Mark J. Kertz, Reg. No. 43,711
Examiner	:	Unknown)
Group Art Un	it :	3617	_

TRANSMITTAL LETTER

United States Patent and Trademark Office P.O. Box 2327 Arlington, VA 22202

ATTENTION: APPLICATION BRANCH

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Second Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 with 2 references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Mark J. Kertz

Registration No. 43,711 Attorney of Record



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Peter T. McCarthy) Group Art Unit 3617
App. No.	:	09/852,155)
Filed	:	May 9, 2001)
For	:	METHODS FOR CREATING LARGE SCALE FOCUSED BLADE DEFLECTIONS)))
Examiner	:	Unknown)))

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

United States Patent and Trademark Office P.O. Box 2327 Arlington, VA 22202

Dear Sir:

Enclosed is form PTO-1449 listing references that are also enclosed. This Supplemental Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

RELATED PENDING APPLICATIONS

The following co-pending applications are related to the present application:

SERIAL NO.	FILING DATE	TITLE	ATTY. DOCKET NO.
09/713,110	11/14/00	High Efficiency Hydrofoil and Swim Fin Designs	NATURES.003C3

Appl. No. Filed	: :	09/852,)5 May 9, 2001	((()	
09/776,495		2/1/01		High Efficiency Hydrof and Swim Fin Designs	oil	NATURES.003C4
10/039,001		1/4/02		High Efficiency Hydrof and Swim Fin Designs	oil	NATURES.003C5
10/039,422		1/4/02		High Efficiency Hydrof and Swim Fin Designs	oil	NATURES.003C6
Unknown		3/5/02		High Efficiency Hydrof and Swim Fin Designs	òil	NATURES.003C7
09/630,374		8/1/00		Methods for Creating Consistent Large Scale I Deflections	Blade	NATURES.015C1
10/035,758		12/28/01		Methods for Creating La Scale Focused Blade Deflections	arge	NATURES.015C2

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 8, 2002

By:

Mark J. Kertz

Registration No. 43,711 Attorney of Record

620 Newport Center Drive

Sixteenth Floor

Newport Beach, CA 92660

(949) 760-0404

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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

TTY. DOCKET NO.		APPLICATION NO.
NATURES.018A	<u> </u>	09/852,155
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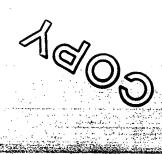
APPLICANT Peter T. McCarthy

FILING DATE May 9, 2001 GROUP 3617

U.S. PATENT DOCUMENTS										
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	CLASS SUBCLASS FILING DA		DATE OPRIATE)			
	6,146,224	11/14/00	McCarthy							
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1		T	FOREIGN PATENT DOCUMENTS		1					
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION				
			·			YES	NO			
	2 543,841	April 5, 1983	France (certified translation)			×				
EXAMINER INITIAL	0	THER DOCUME	NTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT	PAGES,	ETC.)	·				
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DATE CONSIDERED

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